



**State of New York
STATE BOARD OF ELECTIONS**

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December 19, 2011

Hon. Gary L. Sharpe
 United States District Court
 for the Northern District of New York
 James T. Foley United States Courthouse
 445 Broadway, Room 441
 Albany, New York 12207

Re: United States v. State of New York, et. al
 Civil Action No. 10-CV-1214 (GLS)

Dear Judge Sharpe:

Pursuant to this Court's directive of December 12, 2011, the State Board of Elections respectfully submits the attached chart (Exhibit "A") and accompanying narrative (Exhibit "B") for your review and consideration.

The chart sets forth the election events that occur leading up to each federal primary election in New York State. We are attempting to give the Court a back drop against which it may appreciate what will be affected when an additional primary date is selected. The vast majority of these events are statutorily determined by the insertion of the date itself and will not require any additional judicial or legislative alteration. Specifically, most of the election related activity is statutorily mandated in terms of a period of time before the election. They will "automatically" adjust based upon the new date.

On that calendar, marked with a "y" in the left hand margin, we have identified those events that will not be brought into UOCAVA conformity automatically with the new insertion of a new date, but that will require additional alteration of the same, either by this Court or by the Legislature. We have provided the Court with additional information on just those items in Exhibit "B".

As we have all conceded, the New York State Election Law is a complex body of intertwining statutes and dates. We have done our best to highlight those events that we feel are in need of additional modification other than a new date being set. Although we have done our best to identify and possible ancillary items that need attention, there may very well be items or instances that we could not have envisioned that result

as we move forward in the process. If and when those items are discovered, we will immediately notify the Court and all of the parties as to their existence.

As always, we stand ready to assist the Court and the parties in any way that we can.

Respectfully submitted,

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